SRA FILE # 848-7001 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

BANCO POPULAR DOMINICANO, C. POR A...

Plaintiff and Counter-Claim Defendant,

Docket #: 07 Civ. 6443 (LTS) (THK)

-against-

LEVI STRAUSS & CO.,

Defendant and Third Party Plaintiff,

ANSWER TO THIRD-PARTY DEFENDANT PRECISION CUSTOM COATINGS, LLC'S **CROSS-CLAIM**

-against-

INTERAMERICANA APPAREL COMPANY, INC.: INTERAMERICANA PRODUCTS INTERNATIONAL, S.A.; QST DOMINICANA LLC: US PAPER & CHEMICAL; APPAREL MACHINERY & SUPPLY CO.; YKK SNAP FASTENERS AMERICA, INC; SOUTHERN TEXTILE DOMINICANA INC.: INDUSTRIA CARTONERA DOMINICANA, S.A. (SMURFIT): THE GRAPHIC LABEL GROUP DOMINICANA. INC.; AND TAG-IT PACIFIC, INC.,

Third Party Defendants.

Third-Party Defendant, YKK SNAP FASTENERS AMERICA, INC. ("YKK"), by its attorneys, STRONGIN ROTHMAN & ABRAMS, LLP, answering the Cross-Claim of Third-Party Defendant's, PRECISION CUSTOM COATINGS, LLC, appearing for, and on behalf of SOUTHERN TEXTILE DOMINICAN, INC. ("PRECISION"), states as follows:

1. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "25" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.

- 2. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "26" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 3. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "27" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 4. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "28" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 5. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "29" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 6. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "30" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 7. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "31" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 8. Denies each and every allegation contained in paragraph "32" (first) of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 9. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "32" (second) of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.

- 10. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "32" (third) of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 11. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "33" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 12. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "34" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.
- 13. Denies any knowledge or information sufficient to form a belief as to the allegations contained in paragraph "35" of the Third-Party Defendant PRECISION'S Amended Answer with Cross-Claim.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

14. YKK'S right to the stake deposited with the Court is superior to that of any party in this action.

WHEREFORE, Third-Party Defendant, YKK SNAP FASTENERS AMERICA, INC., requests that a judgment be entered dismissing the cross-claim with prejudice and for any such further relief that the Court deems just and proper.

Dated:

New York, New York January 17, 2008

Yours, etc.

STRONGIN ROTHMAN & ABRAMS, LLP

JILLYS. TAYLOR, ESQ. (JT4731) Attorneys for Third-Party Defendant YKK SNAP FASTENERS AMERICA, INC. 50 Broadway, Suite 2003 New York, NY 10004 (212) 931-8300

TO:

DANIEL I. GOLDBERG, ESQ. (DG5745) SALON MARROW DYCKMAN NEWMAN & BROUDY LLP 292 Madison Avenue New York, NY 10017 (212) 661-7100 Attorneys for Third-Party Defendant PRECISION CUSTOM COATINGS, as the assignee of SOUTHERN TEXTILE DOMINICAN, INC.

CHARLES CARANICAS, ESQ. VEDDER, PRICE KAUFMAN & KAUFMAN 1633 Broadway, 47th Floor New York, NY 10019 Attorneys for Third-Party Defendant **QST DOMINICAN LLC**

MARY ELLEN SHUTTLEWORTH, ESQ. HERRICK, FEINSTEIN LLP 2 Park Avenue New York, NY 10016 Attorney for Plaintiff BANCO POPULAR DOMINICANO, C. POR A. GREGORY PLOTKO, ESQ. **COOLEY GODWARD KRONISH LLP** 114 Avenue of the Americas New York, NY 10036 Attorney for Defendant and Third Party Plaintiff LEVI STRAUSS & CO. STATE OF NEW YORK

SS.:

COUNTY OF NEW YORK)

LYUDMILA TIMOSHENKO, being duly sworn, deposes and says that she is not a party to this action, is over the age of 18 years, and resides in Middlesex County, New Jersey. That on this 16th day of January, 2008 she served the within ANSWER TO THIRD-PARTY DEFENDANT PRECISION CUSTOM COATINGS, LLC'S CROSS-CLAIM upon:

DANIEL I. GOLDBERG, ESQ. (DG5745) SALON MARROW DYCKMAN NEWMAN & BROUDY LLP 292 Madison Avenue New York, NY 10017 (212) 661-7100 Attorneys for Third-Party Defendant PRECISION CUSTOM COATINGS, as the assignee of SOUTHERN TEXTILE DOMINICAN, INC.

MARY ELLEN SHUTTLEWORTH, ESQ. HERRICK, FEINSTEIN LLP 2 Park Avenue New York, NY 10016 Attorney for Plaintiff BANCO POPULAR DOMINICANO, C. POR A.

CHARLES CARANICAS, ESQ. VEDDER, PRICE KAUFMAN & KAUFMAN 1633 Broadway, 47th Floor New York, NY 10019 Attorneys for Third-Party Defendant QST DOMINICAN LLC

GREGORY PLOTKO, ESQ.
COOLEY GODWARD KRONISH LLP
114 Avenue of the Americas
New York, NY 10036
Attorney for Defendant and Third Party
Plaintiff
LEVI STRAUSS & CO.

by depositing a true copy of same securely enclosed in a post-paid wrapper in an official depository under the exclusive care and custody of the United States Federal Express Office within the State of New York, by Overnight Mail.

LYUDMILA TIMOSHENKO

Sworn to before me this 17th day of January, 2008

NOTARY PUBLIC

V JILL S. TAYLOR
Notary Public, State of New York
No. 02TA6144183
Qualified in New York County
Commission Expires April 24, 2010